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7 JOSEPH PADGETT and  
DARLA PADGETT  
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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA,  
12 SAN JOSE DIVISION  
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14 JOSEPH PADGETT and DARLA  
PADGETT,

15 Plaintiffs,

16 v.

17 CITY OF MONTE SERENO, a municipal  
18 entity; BRIAN LOVENTHAL, an  
individual; ERIN GARNER, an individual;  
19 A. CURTIS WRIGHT, an individual;  
MARK BRODSKY, an individual;  
20 BARBARA NESBET, an individual;  
DAVID BAXTER, an individual; and DOES  
21 1 to 100, inclusive,

22 Defendants.  
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CASE NO. C-04-03946 JW (RS)

**STIPULATION AND ~~PROPOSED~~  
ORDER TO MODIFY ORDER  
GRANTING IN PART AND DENYING  
IN PART PLAINTIFFS' MOTION TO  
COMPEL PALM PRINTS AND  
FINGERPRINTS**

24 Plaintiffs Joseph Padgett and Darla Padgett, and defendants City of Monte Sereno, Brian  
25 Loventhal, Erin Garner, A. Curtis Wright, Mark Brodsky, Barbara Nesbet, and David Baxter, by  
26 and through their counsel, hereby stipulate that the Order granting in part and denying part  
27 plaintiffs' Motion to Compel Palm Prints and Fingerprints will be modified as follows:  
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1 (1) Page 3, line 20: "Erin Brodsky" will be modified to read "Erin Garner, Mark  
2 Brodsky."

3 (2) Page 3, footnote 1: "Erin Brodsky" will be modified to read "Erin Garner, Mark  
4 Brodsky."

5 (3) Page 9, line 9: "Erin Brodsky" will be modified to read "Erin Garner, Mark  
6 Brodsky."  
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8 DATED: July ~~26~~ 2005  
9 27

McMANIS FAULKNER & MORGAN

10 Christine C. Peek  
11 CHRISTINE PEEK  
Attorneys for Plaintiffs

12 DATED: July 27 2005  
13

HOWARD ROME MARTIN & RIDLEY LLP

14 Joseph Howard  
15 JOSEPH HOWARD  
16 Attorneys for Defendants

17 PURSUANT TO STIPULATION, IT IS SO ORDERED.  
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19 DATED: July 28 2005  
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/s/ Richard Seeborg  
21 HON. RICHARD SEEBORG  
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